

**This order is SIGNED.**



**Dated: February 18, 2020**

DAREN J. HARRIS (#14978)  
Summit Bankruptcy, PLLC  
3115 E Lion Lane, Suite 160  
Salt Lake City, UT 84121  
Telephone: (801) 405-7827  
Facsimile: (801) 212-9888  
Email: dharris@summitbankruptcy.com

A handwritten signature of Kevin R. Anderson in black ink.

KEVIN R. ANDERSON  
U.S. Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

In re	Bankruptcy No.: 19-29131
DAVID CHARLES NICHOLLS	Chapter 7
Debtor,	HONORABLE KEVIN R. ANDERSON

**ORDER AVOIDING JUDGMENT LIENS IMPAIRING HOMESTEAD EXEMPTION**

Debtor's Motion to Avoid Judicial Lien was scheduled for hearing before the Honorable Judge Kevin R. Anderson on March 6, 2020, at 2:00 p.m. Proper notice of the hearing was given to all parties listed on Debtor(s) mailing matrix and to these creditors pursuant to Bank. R. 7004(h). Parties were further notified that objections, if any, to the relief sought by Debtor(s) must be mailed "early enough so that the Court will receive it on or before **February 14, 2020**" and "In the absence of a timely filed objection, the undersigned counsel may and will ask the Court to enter an order approving the Motion without hearing." No objections or other response to the relief sought by Debtor was filed including by the creditors affected, and the hearing was consequently stricken at Debtor's request. The Court, being fully advised, having reviewed the Motion for Entry of Order and with good cause now therefore for good cause appearing:

IT IS HEREBY ORDERED AND DECREED that

1. The judicial execution lien claimed by A. Edward Ezor entered of record at the Third District Court in case 096400131 in the principal amount of approximately \$9,778.11 impairs Debtors' homestead exemption and is hereby canceled and avoided pursuant to 11 U.S.C. §522(f).

2. The judicial execution lien claimed by David Doyle d/b/a Quarrystone Financial Service entered of record at the Third District Court in case 196500636 in the principal amount of approximately \$19,495.14 impairs Debtors' homestead exemption and is hereby canceled and avoided pursuant to 11 U.S.C. §522(f).

3. The judicial execution lien claimed by Hermosa Beach Police Department and the City of Hermosa Beach entered of record at the Third District Court in case 126501480 in the principal amount of approximately \$2,057.00 impairs Debtors' homestead exemption and is hereby canceled and avoided pursuant to 11 U.S.C. §522(f).

4. The debts previously secured by such judicial execution liens are thereby rendered unsecured. As such, the claims of A. Edward Ezor, David Doyle, d/b/a Quarrystone Financial Services, and Hermosa Beach Police Department and the City of Hermosa Beach shall be treated be treated a general unsecured debt.

5. The property to which these Liens relate is Debtor(s)' principal residence commonly known as 2064 Snow Creek Ln, Park City, UT 84060 and more particularly described as:

Unit 2064, SNOW CREEK COTTAGES, a Utah Condominium Project, together with its appurtenant undivided ownership interest in and to the Common Areas and Facilities, as established and described in the Condominium Plat recorded April 20, 2010 as Entry No. 896386; and in the Declaration of Condominium for Snow Creek Cottages recorded April 20, 2010 as Entry No. 896387 m Book 2028 at page 1543, and Amendment to the

Declaration of Condominium recorded June 29, 2010 as Entry .No.902019 in Book 2038 at Page 451, records of Summit County, Utah.

Tax Serial Number: SCCC-20644.

6. A copy of this Judgment may be recorded to effect the avoidance of the Judicial Liens.

Dated this January 15, 2020.

[END OF DOCUMENT]

#### **DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing **Order Avoiding Judicial Lien Impairing Homestead Exemption** shall be served to the parties and in the manner designated below:

**By Electronic Service:** I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

Stephen W. Rupp  
Chapter 7 Trustee  
Via ECF

U.S. Trustee  
Via ECF

Daren J. Harris  
Via ECF

**By U.S. Mail** - In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

David Doyle dba Quarrystone Financial Services  
c/o Mark Swan  
Strong & Hanni, PC  
9350 South 150 East, Suite 820  
Sandy, UT 84070

City of Hermosa Beach  
c/o S. Frank Harrell  
Lynberg & Watkins  
1100 Town & Country Rd., Suite 1450  
Orange, CA 92868 /s/ David M. Cook

/s/ Daren J. Harris  
Daren J. Harris